Family & Children's Services
Stillwater County
Child Welfare Services

INVESTIGATION NARRATIVE – COURT

REFERRAL NAME: Martha Smith

Referral Date: 12/02/2014

FAMILY INFORMATION:

PARENT/CAREGIVERS	AGE	LANG	RELATIONSHIP TO CHILD	COMMON ADDRESS
1. Martha Smith	12/04/82	English	Mother	Yes
2. Frank Jones	01/10/84	English	Father to Jason	Yes
3. Fred Alleweg	08/23/77	English	Father to Brianna	No
CHILDREN				
1. Brianna Alleweg	06/20/04	English		Yes
2. Jason Jones	08/02/14	English		Yes

CURRENT ALLEGATION (Names and ages of children involved in incident)

11/14/2015 – Emotional Abuse and General Neglect of Brianna and Jason by Martha Smith. Emotional Abuse of Brianna and Jason by Frank Jones. General Neglect of Brianna by Fred Alleweg. Mandated reporter stated that on 11/15/2015 Frank Jones was arrested for selling methamphetamine in the alleyway adjacent to the family apartment building. When his apartment was then searched, methamphetamines were found in the master bedroom in the top drawer of the bed stand, within reach of a child. The mother, Martha Smith, was present in the home, as were Brianna Alleweg (12) and Jason Jones (15 months). The children were taken into protective custody due to lack of safety in the home.

PRIOR REFERRALS

10/02/15 – Emotional Abuse and General Neglect of Brianna and Jason by Martha Smith and Frank Jones. Police responded to 911 call from neighbor related to screaming coming from the home. When police arrived, there was no screaming noted. Interview of Martha Smith and Frank Jones, who were present in the home with children Brianna Alleweg (12) and Jason Jones (15 months). Both adults indicated that there were no problems at the home. Ms. Smith indicated that there had been domestic violence in her relationship with her daughter's (Brianna) father, Frank Alleweg. No arrests were made. Matter was **evaluated out.**

12/26/04 – Emotional Abuse of Brianna by Martha Smith and Fred Alleweg, General Neglect of Brianna by Martha Smith and Fred Alleweg, Substantial Risk of Harm by Martha Smith and Fred Alleweg. Mandated reporter reported that on 12/25/04, the mother, Martha Smith, and the father, Fred Alleweg, began to argue and the father commented that he would take Brianna (6 months). The mother was upset about this comment because the father has made this treat in the past. According to the report, the father is "never left

alone with Brianna". The argument continued and the mother locked the father out when he exited the house. The mother called law enforcement. The father became angry and banged on the glass door and smashed lawn furniture. The mother told the father that she had called law enforcement and they were on their way. She then locked herself in the maternal grandmother's bedroom. The father threatened to kill the mother and the maternal grandmother if law enforcement showed up. He continued to threaten to take Brianna. When the father was arrested he became increasingly agitated, yelling and struggling. He tried to bite one of the officers and threatened to "kick your fuckin' ass." The father was arrested for Criminal Threats, Vandalism, and Assault on an Officer. During the investigation the mother was found to be protective and was advised to not further expose Brianna to domestic violence. Brianna was too young to interview. Each parent was interviewed and told about the negative effects domestic violence can have on children. **Outcome: The mother was referred to domestic violence resources and Mr. Alleweg began participating in a Criminal Court ordered 52-week batterers class. The parents also began counseling services at Stillwater Family Center. Both parents were informed of their responsibility to not expose Brianna to domestic violence.**

INVESTIGATION ASSESSMENT

11/14/2015 – Face to Face contact with Brianna, Joshua and the mother by Social Worker S. Hernandez. On-Call Social Worker Hernandez received a call from Stillwater Sheriff's deputy Silva, at 7:30 p.m. Deputy Silva reported that earlier in the evening, the father of Joshua was arrested for methamphetamine sales outside the home, and when the home was searched, methamphetamine was found within reach of Jason (15 months) and Brianna (12 years), who were present with the mother in the home at the time Jason's father was arrested. Deputy Silva reported that methamphetamine was found inside a dresser, which was shoulder height to baby Joshua. Deputy Silva requested Social Worker Hernandez respond as the children were being placed into protective custody.

Social Worker Hernandez notified Supervisor Duran who began looking for placement. Social Worker Hernandez went to the Stillwater Cove apartments to pick up Brianna and Jason. Upon arriving, Jason was playing with some toys outside the apartment. Brianna and the mother were sitting on the ground, with Brianna and the mother holding each other's hands and crying. The police were continuing their search inside the house and Jason's father was handcuffed in the back of a Sheriff's patrol car. The children were wearing clean clothing and appeared physically healthy.

Social Worker Hernandez was notified by Supervisor Duran that there is a foster placement available for the children together in Greenville at the home of Aurelia and Oswaldo S. Social Worker Hernandez provided the mother with the protective custody notification and explained to her that a Social Worker with the Department would be following up with her the following day. Social Worker Hernandez noticed the mother for the detention hearing and provided her with a business card. Social Worker Hernandez informed the mother that Jason and Brianna were being taken to a foster home and provided her with a contact number for her to call the children. The mother was emotional during this conversation, but agreed to help put Jason in the car seat. Social Worker Hernandez asked the mother about the children's fathers and the mother stated that Fred Alleweg is the father of Brianna, and Frank Jones is the father of Jason. The mother did not know the whereabouts of Fred Alleweg. Frank Jones acknowledged paternity of Jason.

Law enforcement and the mother packed a small backpack of Jason and Brianna's belongings. Social Worker Hernandez briefly observed the family apartment which was crowded with belongings and was messy. The mother placed Jason in the car and waved goodbye, but Jason appeared confused as to what was happening and repeated, "Momma" on the drive to the foster home. Brianna sat in the back quietly looking out the window.

Once at the foster home, the foster parents and their two children greeted the children. The foster parents speak only Spanish, but their children are bilingual and helped settle Brianna and Jason. Social Worker Hernandez completed the placement paperwork with the foster parents and said goodbye to Brianna and Jason.

11/16/15 – Face to face contact with the mother by Social Worker S. Hernandez.

Social Worker returned to the Stillwater Cove apartment complex to interview the mother. The mother appeared calm, was in clean clothing and looked somewhat thin, but not unhealthily so. The home was in somewhat less disarray. Social Worker asked the mother what she knew about the current situation with Law Enforcement. The mother indicated that Frank was still in custody, and that law enforcement had cited her for child cruelty.

Social Worker then asked the mother what had occurred on the 14th of November. The mother indicated that she had been starting to make dinner for the family. Jason's father, Frank, had just gone to the local convenience store for some beer a few minutes previously when she heard a pounding on the door and the Sheriff was demanding to come in. "When I let them in, they started trashing the place", she stated. The mother indicated that the Sheriff informed her that they found methamphetamine in the master bedroom, which she shared with Frank and with Jason, whose crib was in their room. The Sheriff told her that having methamphetamine in the same home as a child was child endangerment and that he was calling CPS to take the children away. The mother began to cry then and say that she had no idea that drugs were in the house, so she didn't understand how she could be cited for child endangerment.

Social Worker asked the mother if she was under the influence of any substance when the children were removed on 11/14/15. The mother stated that she was not. Social Worker asked the mother if she had ever used illegal drugs and the mother denied that she had. Social Worker asked the mother what she thought of the fact that methamphetamine had been found within reach of both children. The mother stated that since the drugs were not hers, she shouldn't be blamed for this. Social Worker asked the mother if she agreed that having methamphetamines in the house was a substantial risk to the children and the mother stated that the presence of methamphetamines was not a risk because the children were never allowed in the master bedroom without parental supervision, and that since the mother did not go into Jason's father's drawers, there was no need for the children to do so.

Social Worker asked the mother about her relationship with Frank. The mother indicated that she had met Frank two years ago at a party when she was going through a time when her self-esteem was low. Frank approached her, seemed to really understand her difficulty and didn't push her. They became a couple within six months, and Jason was born a year after that. She lost her job as a result of that pregnancy. After Jason was born, Frank became critical of her parenting, housekeeping, and it seemed that nothing she did was good enough. She admitted that there had been a lot of arguing for the past year and a half, but denied that Frank ever hit or her or pushed her.

Social Worker asked the mother about Brianna's father. The mother indicated that Brianna's father is Fred Alleweg. She met Fred when she was 20 and he was 25. They initially had a lot of fun together, but Fred soon became possessive, paranoid about her contact with other men, and then violent. Brianna was born during this time, and it wasn't until Fred began to threaten to take Brianna that she felt like could leave; it was one thing to hurt her, but when he threatened Brianna, she felt he had crossed a line. The mother has not seen Mr. Alleweg since that time and does not know where he lives.

As to how she was able to pay for her apartment and food for the family, the mother indicated that she was on welfare for Brianna and Jason. Her Welfare to Work exemption for Jason's birth is just about to expire. She has worked twenty hours per week at Goodwill. Frank brought in money that he said was from doing local odd-jobs and getting paid "under the table". Social Worker asked the mother what type of "odd-jobs" Frank does, but the mother did not know. Upon assessment of the home, there appeared to be adequate and appropriate food in the cupboards and the refrigerator.

Social Worker spoke with the mother about the court process and court timelines. Social Worker asked the mother if there was anyone that she wanted assessed for placement of Brianna and Jason. Mother stated that she has a sister who may be available to take the children into the home. Mother provided the Social Worker with her sister's contact information. Social Worker informed the mother that the Department would provide her with services and monitor her ability to be a safe parent. Social Worker recommended the mother call Brianna and Jason as often as possible. Social Worker asked the mother if she had any Native American ancestry. She stated that her biological father was "Black American Indian, White, and Armenian", but she did not have any further information as she has never had contact with her father. Social Worker asked the mother if she maternal grandmother would have more information and she stated that she would not. Social Worker had the mother sign a release of information and informed her that worker was going to refer for an alcohol and drug assessment as well as ongoing random alcohol and drug testing at Urgent Care. Social Worker informed mother that she needed to begin testing immediately and provided her with testing instructions and information. Social Worker also provided mother the contact information for supervised visitation.

The mother asked Social Worker what she had to do to get her children back and stated that if she had to kick Frank out of the home she would do so, although she wasn't certain how she would keep him out, if he really demanded to come in as his name is on the rental agreement with hers. Also, the mother was concerned that she couldn't pay for the apartment without Frank's income to assist with the rent.

Social Worker informed the mother that the case was still under assessment and ended the interview.

11/16/15 – Face to face contact with Brianna by Social Worker S. Hernandez

Social Worker met with Brianna at the foster home of Aurelia and Oswaldo S. Brianna was dressed in clean clothing and was well-groomed. Brianna has long blonde hair and had it in a long braid down her back. Brianna's speech is somewhat difficult to understand, with some lisping and garbled 'r's. Social Worker introduced self to Brianna and asked Brianna if she knew why Worker might be there to talk to her. Brianna suggested that Worker wanted to talk to her about what was going on with her family. Social Worker acknowledged this.

To clarify Brianna's home situation, Social Worker asked Brianna who she is currently living with. She stated that her, her mother, her baby brother, and "Frank". When Social Worker asked Brianna who "Frank" is, she stated, "Frank is Jason's dad". Social Worker asked Brianna how things had been going with her mother before Brianna was removed. Brianna said that "she is doing way better than in the past", but added that "she has been sleeping in a lot recently." When asked what she meant by "better than in the past", Brianna stated that her mother used to spend lots of time in her bedroom with Frank, and didn't pay much attention to Brianna, which made Brianna feel lonely and sad. Since her brother was born, her mother spends less time alone with Frank and more time with Jason and Brianna. Brianna stated that her mother and Frank often fight a lot, and that Frank often yells at the mother for "being lazy and not taking care of the kids". Brianna stated that things

have been going okay at home, except that it gets "hectic". When asked what "hectic" looks like, Brianna spoke more about her mother and Frank's arguments.

Social Worker asked Brianna whether her mother is working now or not. Brianna stated that she sometimes works at the Goodwill and takes Brianna there with her; sometimes it is boring and sometimes it is not. Brianna shared that her mother has been job searching recently. Social Worker asked Brianna what her mother does during the day. Brianna stated that often her mother sleeps in late, and then sometimes they go out to a park, and other times to the Goodwill. Social Worker asked Brianna if her mother ever leaves her at home by herself and Brianna stated that she is never left home alone. Social Worker asked Brianna if her mother ever leaves her at home alone with Frank, and Brianna indicated mother did not.

Social Worker asked Brianna to describe a typical day for her. Brianna stated that she wakes up in the morning, dresses herself and gets herself cold cereal for breakfast. She used to get Jason out of her mom's room when he cried, but now he can climb out of his crib, so he comes out to the living room and she will help him get dressed and some food. Sometimes her mother gets up and makes them breakfast. She watches TV with Jason or plays video games (her favorite is Super Mario 3D) until her mother gets up. Sometimes, they go to the park, or to the library, where Brianna reads Anime. She misses going to school because she used to walk with her best friend, Ofelia, who lives one block away. On Tuesdays and Thursdays, Brianna has soccer practice, and sometimes, her mother will come and watch her games, which are on Saturday, but mostly, her coach picks her up from her home and takes her to games, or brings her home after practice. Her mother usually fixes dinner, and then Brianna plays video games or draws until it is time for bed at about 8:30. Social Worker asked Brianna if she was doing any workbook or other school type work with her mother or anyone else and Brianna stated that she was not.

Social Worker asked Brianna if she knew what the word, "drugs" meant. Brianna stated that she did, and defined it as "really bad things that you take." Brianna acknowledged that she had seen Frank take stuff in the past, but that her mom said that Frank has 'straightened up'. When asked what she thought that meant, Brianna said "that means that Frank won't take drugs anymore. Social Worker asked Brianna if she was allowed in the master bedroom and she stated, "No. Frank gets really mad if I go in their room." When asked if Brianna goes there anyway, she stated, "not unless it's only my mom there and Frank is not in the house." Social Worker asked Brianna if Jason spends any time unsupervised in the master bedroom, Brianna laughed and said, "Jason is all over the place, like in their room, and in my room – he takes my stuffed animals and drools all over them – Yuck!"

Brianna stated that she is around her mother a lot, and she hasn't seen her mother do any drugs or do anything that makes her worry. Social Worker asked Brianna if she knew what the word, "alcohol" meant. Brianna defined it as "a kind of drink that if you take too much it makes you feel dizzy. " Social Worker asked if Briana knew whether or not her mother drank alcohol, and Brianna stated that she does, but she "takes tiny sips", "doesn't drink a lot", and "drinks later at night when she doesn't have to drive anymore."

Social Worker asked Brianna how Frank and her mom get along. Brianna made a distasteful face and stated that "Frank is kind of hard". Social Worker asked Brianna what she meant by that. Brianna stated that "Frank is mad a lot, and when he gets mad, he and my mom yell at each other." Social Worker asked Brianna what happens when Frank and her mother fight. Brianna said that "Mostly Frank just yells that my mom is a bad mom, but sometimes, he hits her." Brianna denied that Frank ever hits her. Social Worker asked if Brianna is ever afraid Frank will hit her. Brianna replied, "Yeah, he can be scary when he's mad, and he's mad a lot, but I just go to my room when he's mad so he won't shine his mad on me."

Social Worker asked Brianna what the word, "safe" means to her. Brianna stated that "safe" means "not getting hurt" and "being around the right people". Social Worker told Brianna that the reason why Worker asked him this question was to see whether or not she felt safe at home with her mother. Brianna stated "I absolutely feel safe at home". Social Worker asked Brianna what her top three worries are in her life. Brianna thought for am moment, and stated "I worry that my mom and Frank don't get along", and "I worry that things won't ever get better." Brianna did not have any other worries to report. Social Worker asked Brianna what she would do if she were ever not feeling safe with her mother. Brianna gave this some thought, and stated that if she did not feel safe with her mother, she would talk to her soccer coach. Social Worker asked Brianna if there were any other adult closer to home she could talk to and Brianna could not think of any.

Social Worker asked Brianna to talk about her father. Brianna said she knows her father's name is "Fred". When asked what kind of a relationship Brianna has with him, Brianna indicated that she did not remember him, although her mother told her that they lived together until Brianna was two, and that her mother told her that Fred was "a bad guy".

Social Worker informed Brianna that Worker would follow up with her mother, and asked if she had any other information she wanted worker to know. Brianna did not have further questions. She wanted to tell Social Worker about her birthday party coming up at the Stillwater Roller Rink. She was excited and reported that several of her friends from her soccer team would be attending.

11/17/15 – Face to Face contact with the father by Social Worker S. Hernandez

Social Worker interviewed the father face to face at the Stillwater County Jail. The father asked where Jason was. Social Worker informed the father that Jason was in foster care. Father wanted to know where and with whom and Social Worker informed father that the information was confidential, but provided first names and a telephone number to call Jason in placement if he wished. Father was upset that Jason was in foster care and indicated that he wanted the Jason to be placed with his mother, who is located in Podunk, Nevada. Social Worker explained to him that the Department would assess all identified friends and family but that it would not be likely that Jason would be placed in Podunk as it would interfere with the reunification process should the parents remain in Stillwater.

Father was also upset that Jason had been placed with "Hispanic-sounding" family, and claimed that he did not want his son placed in a Spanish-speaking household. Social Worker informed father that the S. family was the only local family who had room to take on both children, and that it was important that, after being removed from his own family, it was important for Jason to have Brianna with him. Father was adamant that Jason be removed from the S. home and be placed with an English speaking family, whether it was with Brianna or not. Social Worker suggested father bring this up with his attorney at the detention hearing.

Social Worker asked the father about his current incarceration. The father stated that he was arrested on 11/14 for possession of methamphetamine, possession for sale, and child endangerment. The father stated that his arrest was "bogus" and that he was not attempting to sell methamphetamines from the alleyway next to his apartment; that it was all a misunderstanding. He stated that any methamphetamines found in the home were his, and that the mother knew nothing about his methamphetamine use, possession or sales. The father indicated he thought he would be released by Friday.

Social Worker asked the father about his relationship with the mother. The father stated that they have been together for approximately six years. He stated that he and the mother used to party pretty hearty, but that all changed when she became pregnant with Jason. Social Worker asked the father if he had any concerns about the

mother's sobriety or ability to safely parent Jason. The father stated that he did not have any concerns about the mother and described her as a "great mom". He stated that he speaks with the mother on the phone from jail every day, and he knows she has been looking for employment and misses the kids. He stated he did not have any concerns about the mother using drugs or exposing Jason to any unsafe situations.

Social Worker asked the father about domestic violence in the household. The father indicated that there was none; that domestic violence was an issue for the mother and Brianna's father, but not him. When asked about the incident of 10/02, the father stated he did not know what Social Worker was talking about. When Social Worker confronted father about Brianna's statements, the father told the Social Worker Brianna was either making it up, or misunderstood what she had seen. Social Worker asked the father if Brianna habitually 'mis-saw' or misunderstood what was going on between the mother and father, he stated, "I don't know". Social Worker asked the father what happens when he and the mother have disagreements, he stated, "We don't have disagreements – we talk about it, then she usually sees that I'm right and we go from there."

Social Worker asked the father about his relationship with Brianna. Father stated that "Brianna is Martha's kid; as long as she stays out of my stuff and out of my way, things are okay. When Social Worker asked what happens if Brianna doesn't keep out of his way, father stated, "She stays out of my way".

Social Worker asked the father about his drug use. Father indicated that he last used before being arrested on 11/14/15. Social Worker asked father if he thought he needed drug treatment and he described his use as sporadic and not chronic, like it used to be. Social Worker asked the father if he had used drugs in the past with mother. Father indicated that they had used together in the past, but once mother was pregnant with Jason, she stopped partying all together.

Social Worker spoke with the father about the court process and court timelines. The father expressed a strong desire to reunify with Jason and to have Jason be with the paternal grandmother until this could happen. Social Worker asked the father if he had any Native American ancestry. He stated that his relatives used to tell him that he did because his skin would get so dark but the father did not have any specific information as to what tribe he had ancestry with. The father did not know if the paternal grandmother had any information about ICWA history. Social Worker had the father sign a release of information and informed him that Worker would be referring him for an alcohol and drug assessment. Social Worker asked father to follow through with any recommendations of the assessor and father agreed. Social Worker noticed the father of the date and time for detention hearing, provided father with foster parents' contact information.

CRIMINAL INFORMATION

A criminal background check was completed for the mother, Martha Smith, by the Special Investigations Unit on 11/16/15.

The mother has no criminal history.

A criminal background check was completed for the Brianna's father, Fred Alleweg, by the Special Investigations Unit on 11/16/15.

Brianna's father has no criminal history.

A criminal background check was completed for Jason's father, Frank Jones, by the Special Investigations Unit on 11/16/15.

11/14/15 Arrested for Use/Under the Influence of a controlled substance, possession of controlled substance paraphernalia, Child Endangerment.

HOME ENVIRONMENT

The mother, Brianna and Frank Jones have been residing in Apartment #12 at the Stillwater Cove Apartments since December, 2013. Jason has lived there since his release from hospital after birth. Although the home was in complete disarray at the time Social Worker first met the children and their mother, during the next home visit, the apartment, was within acceptable safety limits. The mother appears to keep enough appropriate food for the children to be healthy. The father of Brianna is whereabouts unknown, and Brianna (11 years) does not remember him. The father of Jason has lived with the family since Jason's birth, but is currently in jail for drug related crimes, including child endangerment related to drugs found in the parents' bedroom bed stand drawer, which was accessible to both children.

SUMMARY

The allegation of Emotional Abuse of Brianna and Jason by Martha Smith is substantiated. The allegation of General Neglect of Brianna and Jason by Martha Smith is substantiated. The allegation of Emotional Abuse of Brianna and Jason by Frank Jones is substantiated. General Neglect of Brianna by Fred Alleweg is substantiated.

Jason's father was arrested when he was selling methamphetamine in the alleyway next to the family's apartment building. On that day, law enforcement found methamphetamine in a bedside table drawer, within reach of both 11-year old Brianna and 18 month old Jason. While the mother indicates she is not using, it does not seem credible that there should be methamphetamine in the bedroom and Jason's father was selling methamphetamine within 50 feet of the home, and that mother would not know about this. In addition, the mother indicates that no member of the family is working now, and yet they appear to have enough money for the basic necessities whose cost is greater than the welfare that mother receives.

In addition to the risks related to drug use, availability and nearby sales, the mother and Jason's father participate in ongoing bickering that, according to Brianna, has resulted in Jason's father striking the mother. This is from Brianna's own observations. Domestic violence in the home carries the dual risk of one of the children being physically harmed, as well as emotional harm that family violence produces in young children due to both the instability and danger of ongoing violence, as well as teaching Brianna to be a victim and Jason that violence is normal in a male. Given that the mother and father deny the actions, the risks remain high.

SDM SAFETY ASSESSMENT:

One or more safety threats are present, and placement is the only protecting intervention possible for one or more children. Without placement, one or more children will likely be in danger of immediate or serious harm.

SDM RISK ASSESSMENT:

The level of risk was found to be:

_____ Low

_____ Moderate
_____ High
__X__ Very High

Due to the following risk factors: Prior CPS investigation, prior voluntary services, mother's substance abuse history, Jason's father's substance abuse history and current use, sales of drugs next to the home, domestic violence in home plus denial.

SW RECOMMENDATIONS:

The Department recommends that a petition be filed in the Juvenile Court and further services be offered to the family.

Serena Hernandez, MSW – Social Worker _____ Date

Jacqueline Duran, MSW - Supervisor _____ Date